

109TH CONGRESS
2D SESSION

H. R. 3603

IN THE SENATE OF THE UNITED STATES

JULY 25, 2006

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To promote the economic development and recreational use of National Forest System lands and other public lands in central Idaho, to designate the Boulder-White Cloud Management Area to ensure the continued management of certain National Forest System lands and Bureau of Land Management lands for recreational and grazing use and conservation and resource protection, to add certain National Forest System lands and Bureau of Land Management lands in central Idaho to the National Wilderness Preservation System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
 3 “Central Idaho Economic Development and Recreation
 4 Act”.

5 (b) TABLE OF CONTENTS.—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title and table of contents.

**TITLE I—CENTRAL IDAHO ECONOMIC DEVELOPMENT AND
 RECREATION PROMOTION**

- Sec. 101. Land conveyance, designated Sawtooth National Recreation Area land to Custer County, Idaho.
- Sec. 102. Land conveyance, designated Sawtooth National Forest and BLM land to Blaine County, Idaho.
- Sec. 103. Land conveyance, designated National Forest System land to City of Stanley, Idaho.
- Sec. 104. Land conveyance, designated BLM land to City of Clayton, Idaho.
- Sec. 105. Land conveyance, designated BLM land to City of Mackay, Idaho.
- Sec. 106. Land conveyance, designated BLM land to City of Challis, Idaho.
- Sec. 107. Land conveyance authority, support for motorized and bicycle recreation, public land in central Idaho.
- Sec. 108. Treatment of existing roads and trails.
- Sec. 109. Stanley-Redfish Lake bike and snowmobile trail and related parking lot.
- Sec. 110. Support for other trail construction and maintenance activities.
- Sec. 111. Support for outfitter and guide activities.
- Sec. 112. Grants to support sustainable economic development and recreation.
- Sec. 113. Continuation of public access to Bowery National Forest Guard Station.
- Sec. 114. Expansion and improvement of Herd Lake Campground.
- Sec. 115. Land exchange to eliminate State of Idaho inholdings in Sawtooth National Recreation Area and new wilderness areas.

TITLE II—CENTRAL IDAHO WILDERNESS AREAS

- Sec. 201. Additions to National Wilderness Preservation System.
- Sec. 202. General administration of wilderness areas.
- Sec. 203. Acquisition of mineral interests and lands from willing sellers.
- Sec. 204. Adjacent management.
- Sec. 205. Wildfire management.
- Sec. 206. Water rights.
- Sec. 207. Wildlife management.
- Sec. 208. Native American cultural and religious uses.
- Sec. 209. Military overflights.
- Sec. 210. Wilderness review.

TITLE III—BOULDER-WHITE CLOUDS MANAGEMENT AREA

- Sec. 301. Establishment of management area.

Sec. 302. Land acquisition and acquisition of unpatented mining claims in management area.

Sec. 303. Motorized and bicycle travel.

Sec. 304. Support and use of Idaho Off Road Motor Vehicle Program.

Sec. 305. Airports and landing strips.

Sec. 306. Management of Railroad Ridge area, Sawtooth National Forest.

1 TITLE I—CENTRAL IDAHO ECO- 2 NOMIC DEVELOPMENT AND 3 RECREATION PROMOTION

4 SEC. 101. LAND CONVEYANCE, DESIGNATED SAWTOOTH NA- 5 TIONAL RECREATION AREA LAND TO CUSTER 6 COUNTY, IDAHO.

7 (a) CONVEYANCE REQUIRED.—Subject to the deed
8 restrictions required by subsection (b), the Secretary of
9 Agriculture, acting through the Chief of the Forest Serv-
10 ice, shall convey, without consideration, to Custer County,
11 Idaho (in this section referred to as the “County”), all
12 right, title, and interest of the United States in and to
13 certain Federal land in the Sawtooth National Recreation
14 Area consisting of a total of approximately 86 acres, in-
15 cluding a road encompassing approximately 15 acres, ad-
16 joining the northern boundary of the City of Stanley,
17 Idaho, and identified as Parcel B on the map entitled
18 “Custer County Conveyance—STANLEY” and dated
19 July 24, 2006.

20 (b) USE OF CONVEYED LAND.—In making the con-
21 veyance under subsection (a) to the County, the Secretary
22 shall include the following deed restrictions relating to the

1 use of the conveyed land to ensure that such use is con-
2 sistent with the planning process of the County and man-
3 agement of the Sawtooth National Recreation Area:

4 (1) LIMITATION ON NUMBER OF HOME SITES.—

5 Not more than 10 home sites may be developed on
6 the conveyed land, and houses and outbuildings con-
7 structed on the home sites may not be visible from
8 Highways 75 and 21.

9 (2) LIMITATIONS REGARDING HOUSE CON-
10 STRUCTION.—Not more than one single-family house
11 may be constructed on each home site, and each
12 house shall be subject to the following requirements:

13 (A) USE.—Residential.

14 (B) SIZE.—Not more than 3,500 square
15 feet gross floor space, including attached ga-
16 rage, but excluding basements, decks, and
17 porches. No more than 26 feet in height from
18 natural ground level, excluding any chimney.

19 (C) DESIGN.—Western ranch-style, having
20 rectangular or square sections with no more
21 than three ridgelines, excluding dormers.

22 (D) WINDOWS.—Rectangular or square,
23 divided light, and no more than 24 square feet
24 in size. Windows shall not exceed 30 percent of
25 the area of any wall.

1 (E) STRUCTURAL SIDING.—Log, log-sided,
2 rough-sawn lumber, board and batten, or suit-
3 able wood substitutes, which shall be harmo-
4 niously colored or have a natural wood finish.

5 (F) ROOF.—Wood, composite, or non-re-
6 flective metal in muted earth tones of brown.

7 (3) LIMITATIONS REGARDING OUTBUILDINGS.—
8 Not more than two outbuildings may be constructed
9 on each home site, and such outbuildings shall be
10 subject to the following requirements:

11 (A) USE.—A outbuilding may not include
12 kitchen or sleeping facilities or otherwise be
13 equipped for residential purposes.

14 (B) SIZE.—No more than 850 square feet
15 gross floor space in the aggregate. Single story,
16 no more than 26 feet from natural ground level.

17 (C) DESIGN.—Western ranch-style com-
18 prised of rectangular or square sections with no
19 more than one ridgeline.

20 (D) WINDOWS.—Rectangular or square,
21 divided light of no more than 24 square feet.

22 (E) STRUCTURAL SIDING.—Log, log-sided,
23 rough-sawn lumber, board and batten, or suit-
24 able wood substitutes, which shall be harmo-
25 niously colored or have a natural wood finish.

1 (F) ROOF.—Wood, composite, or non-re-
2 flective metal in muted earth tones of brown.

3 (4) LIMITATIONS REGARDING SATELLITE
4 DISH.—Each home site may contain not more than
5 one satellite dish, not to exceed 24 inches in diame-
6 ter, which shall be located as unobtrusively as best
7 available technology allows.

8 (5) LIMITATIONS REGARDING EXTERIOR LIGHT-
9 ING.—Each home site may contain not than two ex-
10 terior lighting sources, which shall be shielded down-
11 wards and may not exceed 150 watts each. Neither
12 light source may be flashing.

13 (6) LIMITATIONS REGARDING LANDSCAPING.—
14 The landscaping for each home site shall be compat-
15 ible with the open setting of the home site and incor-
16 porate materials, groundcover, shrubs, and trees
17 that are indigenous to the area. Areas exposed due
18 to excavation shall be rehabilitated to pre-excavation
19 conditions within two years following completion of
20 construction.

21 (7) LIMITATIONS REGARDING ROADS AND
22 DRIVEWAYS.—Any road or driveway for a home site
23 may not exceed 14 feet in width.

24 (8) LIMITATIONS REGARDING FENCING.—
25 Fences on a home site shall be in the log worm, log

1 block, or jack style and shall incorporate wildlife-
2 friendly elements.

3 (9) LIMITATIONS REGARDING UTILITIES.—All
4 new utilities serving a home site shall be located un-
5 derground.

6 (c) PROHIBITIONS.—

7 (1) SUBDIVISION.—Except as expressly author-
8 ized in subsection (b) regarding the land conveyed
9 under subsection (a), the conveyed land may not be
10 divided, subdivided or defacto subdivided through
11 sales, long-term leases, or other means.

12 (2) PROHIBITED USES.—The land conveyed
13 under subsection (a) may not be used for any of the
14 following purposes:

15 (A) Commercial, manufacturing, industrial,
16 mining, or drilling operations, except that small
17 in-home businesses, such as professional serv-
18 ices, may be allowed.

19 (B) Exploration, development, or extrac-
20 tion of minerals.

21 (C) Dumping or accumulation of trash, de-
22 bris, junk cars, unserviceable equipment, or
23 other unsightly materials.

24 (D) Placement of residential trailers, mo-
25 bile homes, manufactured homes, modular

1 buildings, or other such semi-permanent struc-
2 tures.

3 (E) Placement of towers, antennae, or sat-
4 ellite dishes that are not concealed from public
5 view, except to the extent that the right is ex-
6 pressly granted in subsection (b)(4).

7 (F) Placement of signs, billboards, or other
8 advertising devices, other than one property
9 identification sign and one for sale or rental
10 sign, not to exceed two square feet in area, and
11 such signs shall be harmonious in design and
12 color with the surroundings.

13 (G) Disposal or unlawful storage of haz-
14 ardous substances, as defined in the Com-
15 prehensive Environmental Response, Compensa-
16 tion, and Liability Act of 1980 (42 U.S.C. 9601
17 et seq.).

18 (d) SURVEY AND LEGAL DESCRIPTION.—The exact
19 acreage and legal description of the land to be conveyed
20 under subsection (a) shall be determined by a survey satis-
21 factory to the Secretary. The cost of the survey shall be
22 borne by the Secretary. The legal description shall be pre-
23 pared as soon as practicable after the date of the enact-
24 ment of this Act.

1 (e) APPROVAL AND ACCESS REQUIREMENTS.—Any
2 improvement to be made to a home site developed on the
3 land conveyed under subsection (a) shall be subject to the
4 approval in writing, and in advance of being made, by the
5 appropriate County officials. Representatives of the Coun-
6 ty may enter the home sites at reasonable times to monitor
7 compliance with the deed restrictions imposed by sub-
8 section (b).

9 (f) ENFORCEMENT.—As a condition on the convey-
10 ance under subsection (a), the County shall agree to en-
11 force the deed restrictions imposed by subsections (b) and
12 (c).

13 (g) REVERSIONARY INTEREST.—If the Secretary de-
14 termines at any time that a home site developed on the
15 land conveyed under subsection (a) is not in compliance
16 with the deed restrictions imposed by subsection (b) or
17 (c), all right, title, and interest in and to the home site,
18 including any improvements thereon, shall revert to the
19 United States, and the United States shall have the right
20 of immediate entry onto the property. Any determination
21 of the Secretary under this subsection shall be made on
22 the record after an opportunity for a hearing, and the Sec-
23 retary shall give the landowner a reasonable opportunity
24 to restore the home site to compliance with the deed re-
25 strictions.

1 (h) ROAD ACCESS.—In making the conveyance under
2 subsection (a) to the County, the Secretary shall include
3 a deed restriction requiring that the road referred to in
4 such subsection shall remain open to the public to provide
5 access to adjacent Federal land and private property.

6 (i) ADDITIONAL TERM AND CONDITIONS.—The Sec-
7 retary may require such additional terms and conditions
8 in connection with the conveyance under subsection (a) as
9 the Secretary considers appropriate to protect the inter-
10 ests of the United States.

11 **SEC. 102. LAND CONVEYANCE, DESIGNATED SAWTOOTH NA-**
12 **TIONAL FOREST AND BLM LAND TO BLAINE**
13 **COUNTY, IDAHO.**

14 (a) CONVEYANCE REQUIRED.—The Secretary of Ag-
15 riculture, acting through the Chief of the Forest Service,
16 and the Secretary of the Interior, acting through the Di-
17 rector of the Bureau of Land Management, shall convey,
18 without consideration, to Blaine County, Idaho (in this
19 section referred to as the “County”), all right, title, and
20 interest of the United States in and to the parcels of Fed-
21 eral land in the Sawtooth National Forest and Bureau of
22 Land Management land identified for conveyance under
23 this section on the map entitled “Blaine County Convey-
24 ance” and dated July 24, 2006.

1 (b) SURVEY.—The exact acreage and legal descrip-
2 tion of the land to be conveyed under subsection (a) shall
3 be determined by a survey satisfactory to the Secretary.
4 The cost of the survey shall be borne by the Secretary.

5 (c) ADDITIONAL TERM AND CONDITIONS.—The Sec-
6 retary may require such additional terms and conditions
7 in connection with the conveyance under subsection (a) as
8 the Secretary considers appropriate to protect the inter-
9 ests of the United States.

10 **SEC. 103. LAND CONVEYANCE, DESIGNATED NATIONAL**
11 **FOREST SYSTEM LAND TO CITY OF STANLEY,**
12 **IDAHO.**

13 (a) CONVEYANCE REQUIRED.—Subject to the deed
14 restrictions required by subsection (b), the Secretary of
15 Agriculture, acting through the Chief of the Forest Serv-
16 ice, shall convey to the City of Stanley, Idaho (in this sec-
17 tion referred to as the “City”), all right, title, and interest
18 of the United States in and to National Forest System
19 land consisting of two parcels containing a total of ap-
20 proximately 8 acres adjoining the western boundary of the
21 City and a total of approximately 68 acres, including roads
22 and improvements, adjoining the northeastern boundary
23 of the City, respectively, and identified as Parcels A and
24 C on the map entitled “STANLEY CONVEYANCE” and
25 dated July 24, 2006.

1 (b) USE OF PARCEL A LAND.—In making the con-
2 veyance under subsection (a) to the City of the land identi-
3 fied as Parcel A on the map referred to in such subsection,
4 the Secretary shall include the following deed restrictions
5 relating to the use of the conveyed land to ensure that
6 such use is consistent with the planning process of the
7 City and Custer County, Idaho, and management of adja-
8 cent National Forest System land:

9 (1) LIMITATION ON NUMBER OF HOME SITES.—
10 Not more than 4 home sites may be developed on
11 Parcel A.

12 (2) LIMITATIONS REGARDING HOUSE CON-
13 STRUCTION.—Not more than one single-family house
14 may be constructed on each home site, and each
15 house shall be subject to the following requirements:

16 (A) USE.—Residential.

17 (B) SIZE.—Not more than 3,000 square
18 feet gross floor space, including attached ga-
19 rage, but excluding basements, decks, and
20 porches. Single story, no more than 22 feet in
21 height from natural ground level, excluding any
22 chimney.

23 (C) DESIGN.—Western ranch-style, having
24 rectangular or square sections with no more
25 than two ridgelines, excluding dormers.

1 (D) WINDOWS.—Rectangular or square,
2 divided light, and no more than 24 square feet
3 in size. Windows with exterior walls visible from
4 Highway 21 shall not exceed 30 percent of the
5 area of the wall.

6 (E) STRUCTURAL SIDING.—Log, log-sided,
7 rough-sawn lumber, board and batten, or suit-
8 able wood substitutes, which shall be harmo-
9 niously colored or have a natural wood finish.

10 (F) ROOF.—Wood, composite, or non-re-
11 flective metal in muted earth tones of brown.

12 (3) LIMITATIONS REGARDING OUTBUILDINGS.—
13 Not more than one outbuilding may be constructed
14 on each home site, and the outbuilding shall be sub-
15 ject to the following requirements:

16 (A) USE.—A outbuilding may not include
17 kitchen or sleeping facilities or otherwise be
18 equipped for residential purposes.

19 (B) SIZE.—No more than 600 square feet
20 gross floor space in the aggregate. Single story,
21 no more than 22 feet from natural ground level.

22 (C) DESIGN.—Western ranch-style com-
23 prised of rectangular or square sections with no
24 more than one ridgeline.

1 (D) WINDOWS.—Rectangular or square,
2 divided light of no more than 24 square feet.

3 (E) STRUCTURAL SIDING.—Log, log-sided,
4 rough-sawn lumber, board and batten, or suit-
5 able wood substitutes, which shall be harmo-
6 niously colored or have a natural wood finish.

7 (F) ROOF.—Wood, composite, or non-re-
8 flective metal in muted earth tones of brown.

9 (4) LIMITATIONS REGARDING SATELLITE
10 DISH.—Each home site may contain not more than
11 one satellite dish, not to exceed 24 inches in diame-
12 ter, which shall be located as unobtrusively as best
13 available technology allows.

14 (5) LIMITATIONS REGARDING EXTERIOR LIGHT-
15 ING.—Each home site may contain not than two ex-
16 terior lighting sources, which shall be shielded down-
17 wards and may not exceed 150 watts each. Neither
18 light source may be flashing.

19 (6) LIMITATIONS REGARDING LANDSCAPING.—
20 The landscaping for each home site shall be compat-
21 ible with the open setting of the home site and incor-
22 porate materials, groundcover, shrubs, and trees
23 that are indigenous to the area. Areas exposed due
24 to excavation shall be rehabilitated to pre-excavation

1 conditions within two years following completion of
2 construction.

3 (7) LIMITATIONS REGARDING ROADS AND
4 DRIVEWAYS.—Any road or driveway for a home site
5 may not exceed 14 feet in width.

6 (8) LIMITATIONS REGARDING FENCING.—
7 Fences on a home site shall be in the log worm, log
8 block, or jack style and shall incorporate wildlife-
9 friendly elements.

10 (9) LIMITATIONS REGARDING UTILITIES.—All
11 new utilities serving a home site shall be located un-
12 derground.

13 (c) USE OF PARCEL C LAND.—In making the con-
14 veyance under subsection (a) to the City of the land identi-
15 fied as Parcel C on the map referred to in such subsection,
16 the Secretary shall include the following deed restrictions
17 relating to the use of the conveyed land to ensure that
18 such use is consistent with the planning process of the
19 City and Custer County, Idaho, and management of Na-
20 tional Forest System land:

21 (1) AUTHORIZED USES.—Parcel C may be
22 used—

23 (A) to provide housing for persons em-
24 ployed full-time, whether on a year-round basis

1 or seasonally, within the Sawtooth National
2 Recreation Area; and

3 (B) for other public purposes, including
4 use as the site for a park, cemetery, community
5 center, or educational facility

6 (2) LIMITATIONS REGARDING CONSTRU-
7 TION.—Any structure constructed on Parcel C shall
8 be subject to the following requirements:

9 (A) SIZE.—The size of the structure shall
10 be compatible with the building site and type of
11 use.

12 (B) DESIGN.—Western ranch-style, having
13 rectangular or square sections with no more
14 than three ridgelines, excluding dormers.

15 (C) HEIGHT.—The height of any structure
16 shall not exceed 30 feet from natural ground
17 level.

18 (D) WINDOWS.—Rectangular or square,
19 divided light, and no more than 24 square feet
20 in size. Windows with exterior walls facing
21 Highways 21 or 75 shall not exceed 30 percent
22 of the area of the wall.

23 (E) STRUCTURAL SIDING.—Log, log-sided,
24 rough-sawn lumber, board and batten, or suit-

1 able wood substitutes, which shall be harmo-
2 niously colored or have a natural wood finish.

3 (F) ROOF.—Wood, composite, or non-re-
4 flective metal in muted earth tones of brown.

5 (3) LIMITATIONS REGARDING SATELLITE
6 DISH.—Each structure may contain not more than
7 one satellite dish, not to exceed 24 inches in diame-
8 ter, which shall be located as unobtrusively as best
9 available technology allows.

10 (4) LIMITATIONS REGARDING EXTERIOR LIGHT-
11 ING.—Exterior lighting sources shall be shielded
12 downwards and may not be flashing.

13 (5) LIMITATIONS REGARDING LANDSCAPING.—
14 The landscaping for each structure shall be compat-
15 ible with an open setting and incorporate materials,
16 groundcover, shrubs, and trees that are indigenous
17 to the area. Areas exposed due to excavation shall be
18 rehabilitated to pre-excavation conditions within two
19 years following completion of construction.

20 (6) LIMITATIONS REGARDING ROADS AND
21 DRIVEWAYS.—Any road or driveway for a structure
22 may not exceed 24 feet in width.

23 (7) LIMITATIONS REGARDING FENCING.—Any
24 fence in Parcel C shall be in the log worm, log block,

1 or jack style and shall incorporate wildlife-friendly
2 elements.

3 (8) LIMITATIONS REGARDING UTILITIES.—All
4 new utilities serving Parcel C shall be located under-
5 ground.

6 (9) SIGNAGE.—Only signs identifying a com-
7 mercial enterprise being conducted on Parcel C may
8 be placed on the parcel. Signs may not exceed 20
9 square feet in area, and shall be subdued in appear-
10 ance and harmonizing in design and color with the
11 surroundings. No sign may be flashing.

12 (10) LIMITATIONS REGARDING STREAM SET-
13 BACKS.—To protect the integrity of fish habitat and
14 Valley Creek from the impact of development, a min-
15 imum setback of 100 feet from each bank of Valley
16 Creek shall be required for the construction of all
17 houses and other structures on Parcel C.

18 (d) PROHIBITIONS.—

19 (1) SUBDIVISION.—Except as expressly author-
20 ized in subsection (b) or (c) regarding the land con-
21 veyed under subsection (a), the conveyed land may
22 not be divided, subdivided or defacto subdivided
23 through sales, long-term leases, or other means.

1 (2) PROHIBITED USES.—The land conveyed
2 under subsection (a) may not be used for any of the
3 following purposes:

4 (A) Commercial, manufacturing, industrial,
5 mining, or drilling operations, except that small
6 in-home businesses, such as professional serv-
7 ices, may be allowed, and, subject to subsection
8 (c)(1)(B), certain commercial operations may
9 be allowed on the land identified as Parcel C on
10 the map referred to in subsection (a).

11 (B) Exploration, development, or extrac-
12 tion of minerals.

13 (C) Dumping or accumulation of trash, de-
14 bris, junk cars, unserviceable equipment, or
15 other unsightly materials.

16 (D) Placement of residential trailers, mo-
17 bile homes, manufactured homes, modular
18 buildings, or other such semi-permanent struc-
19 tures.

20 (E) Placement of towers, antennae, or sat-
21 ellite dishes that are not concealed from public
22 view, except to the extent that the right is ex-
23 pressly granted in subsection (b)(4) or (c)(3).

24 (F) Placement of signs, billboards, or other
25 advertising devices, except—

1 (i) as provided in subsection (c)(9)
2 with regard to the land identified as Parcel
3 C; and

4 (ii) one property identification sign
5 and one for sale or rental sign, not to ex-
6 ceed two square feet in area, which shall
7 be harmonious in design and color with the
8 surroundings.

9 (G) Disposal or unlawful storage of haz-
10 ardous substances, as defined in the Com-
11 prehensive Environmental Response, Compensa-
12 tion, and Liability Act of 1980 (42 U.S.C. 9601
13 et seq.).

14 (e) CONSIDERATION.—

15 (1) CONSIDERATION REQUIRED.—As consider-
16 ation for the conveyance under subsection (a), the
17 City shall pay to the Secretary an amount equal to
18 the amount originally expended by the United States
19 to acquire the parcel of land identified as Parcel A
20 on the map referred to in such subsection. The City
21 shall provide the consideration not later than one
22 year after the date on which the City disposes of the
23 parcel after obtaining title of the parcel under sub-
24 section (a).

1 (2) DISPOSITION AND USE OF PROCEEDS.—The
2 amount received as consideration under this sub-
3 section shall be—

4 (A) deposited and merged with funds ap-
5 propriated for the operation of the Sawtooth
6 National Recreation Area in order to supple-
7 ment such appropriations; and

8 (B) available to the Secretary, without fur-
9 ther appropriation and until expended, for con-
10 servation activities in the recreation area.

11 (f) SURVEY AND LEGAL DESCRIPTION.—The exact
12 acreage and legal description of the land to be conveyed
13 under subsection (a) shall be determined by a survey satis-
14 factory to the Secretary. The cost of the survey shall be
15 borne by the Secretary. The legal description shall be pre-
16 pared as soon as practicable after the date of the enact-
17 ment of this Act.

18 (g) APPROVAL AND ACCESS REQUIREMENTS.—

19 (1) GENERAL REQUIREMENTS.—Any improve-
20 ment to be made to land conveyed under subsection
21 (a) shall be subject to the approval in writing, and
22 in advance of being made, by the appropriate City
23 officials. Representatives of the City may enter the
24 land at reasonable times to monitor compliance with

1 the deed restrictions imposed by subsection (b), (c),
2 or (d).

3 (2) PREPARATION AND APPROVAL OF DEVELOP-
4 MENT PLAN FOR PARCEL C.—The land identified as
5 Parcel C on the map referred to in subsection (a)
6 and conveyed to the City under such subsection shall
7 not be developed until such time as a development
8 plan consistent with subsections (c) and (d) is re-
9 viewed and approved by a special commission con-
10 sisting of at least one elected official representing
11 Custer County, one elected official representing the
12 City, and three individuals who are not employed by
13 or officials of the County or City and reside within
14 the boundaries of the Sawtooth National Recreation
15 Area. The non-governmental representatives shall be
16 selected jointly by the elected officials on the com-
17 mission.

18 (h) ENFORCEMENT.—As a condition on the convey-
19 ance under subsection (a), the City shall agree to enforce
20 the deed restrictions imposed by subsections (b), (c), and
21 (d).

22 (i) REVERSIONARY INTEREST.—If the Secretary de-
23 termines at any time that any portion of the land conveyed
24 under subsection (a) is not being used in compliance with
25 the deed restrictions applicable to that portion of the land

1 under subsection (b), (c), or (d), all right, title, and inter-
2 est in and to that portion of the land, including any im-
3 provements thereon, shall revert to the United States, and
4 the United States shall have the right of immediate entry
5 onto the property. Any determination of the Secretary
6 under this subsection shall be made on the record after
7 an opportunity for a hearing, and the Secretary shall give
8 the landowner a reasonable opportunity to restore the
9 property to compliance with the deed restrictions.

10 (j) SURVEY.—The exact acreage and legal description
11 of the land to be conveyed under subsection (a) shall be
12 determined by a survey satisfactory to the Secretary. The
13 cost of the survey shall be borne by the Secretary.

14 (k) ROAD ACCESS.—In making the conveyance under
15 subsection (a) to the City, the Secretary shall include a
16 deed restriction requiring that the roads referred to in
17 such subsection shall remain open to the public to provide
18 access to adjacent Federal land and private property.

19 (l) ADDITIONAL TERM AND CONDITIONS.—The Sec-
20 retary may require such additional terms and conditions
21 in connection with the conveyance under subsection (a) as
22 the Secretary considers appropriate to protect the inter-
23 ests of the United States.

1 **SEC. 104. LAND CONVEYANCE, DESIGNATED BLM LAND TO**
2 **CITY OF CLAYTON, IDAHO.**

3 (a) CONVEYANCE REQUIRED.—The Secretary of the
4 Interior, acting through the Director of the Bureau of
5 Land Management, shall convey, without consideration, to
6 the City of Clayton, Idaho (in this section referred to as
7 the “City”), all right, title, and interest of the United
8 States in and to a parcel of Bureau of Land Management
9 land, including roads thereon, identified for conveyance
10 under this section on the map entitled “City of Clayton
11 Conveyance” and dated July 24, 2006.

12 (b) SURVEY.—The exact acreage and legal descrip-
13 tion of the land to be conveyed under subsection (a) shall
14 be determined by a survey satisfactory to the Secretary.
15 The cost of the survey shall be borne by the Secretary.

16 (c) ROAD ACCESS.—In making the conveyance under
17 subsection (a) to the City, the Secretary shall include a
18 deed restriction requiring that the roads referred to in
19 such subsection shall remain open to the public to provide
20 access to adjacent Federal land and private property.

21 (d) ADDITIONAL TERM AND CONDITIONS.—The Sec-
22 retary may require such additional terms and conditions
23 in connection with the conveyance under subsection (a) as
24 the Secretary considers appropriate to protect the inter-
25 ests of the United States.

1 **SEC. 105. LAND CONVEYANCE, DESIGNATED BLM LAND TO**
2 **CITY OF MACKAY, IDAHO.**

3 (a) CONVEYANCE REQUIRED.—The Secretary of the
4 Interior, acting through the Director of the Bureau of
5 Land Management, shall convey, without consideration, to
6 the City of Mackay, Idaho (in this section referred to as
7 the “City”), all right, title, and interest of the United
8 States in and to a parcel of Bureau of Land Management
9 land, including roads thereon, identified for conveyance
10 under this section on the map entitled “City of Mackay
11 Conveyance” and dated July 24, 2006.

12 (b) SURVEY.—The exact acreage and legal descrip-
13 tion of the land to be conveyed under subsection (a) shall
14 be determined by a survey satisfactory to the Secretary.
15 The cost of the survey shall be borne by the Secretary.

16 (c) ROAD ACCESS.—In making the conveyance under
17 subsection (a) to the City, the Secretary shall include a
18 deed restriction requiring that the roads referred to in
19 such subsection shall remain open to the public to provide
20 access to adjacent Federal land and private property.

21 (d) ADDITIONAL TERM AND CONDITIONS.—The Sec-
22 retary may require such additional terms and conditions
23 in connection with the conveyance under subsection (a) as
24 the Secretary considers appropriate to protect the inter-
25 ests of the United States.

1 **SEC. 106. LAND CONVEYANCE, DESIGNATED BLM LAND TO**
2 **CITY OF CHALLIS, IDAHO.**

3 (a) CONVEYANCE REQUIRED.—The Secretary of the
4 Interior, acting through the Director of the Bureau of
5 Land Management, shall convey, without consideration, to
6 the City of Challis, Idaho (in this section referred to as
7 the “City”), all right, title, and interest of the United
8 States in and to a parcel of Bureau of Land Management
9 land, including roads thereon, identified for conveyance
10 under this section on the map entitled “City of Challis
11 Conveyance” and dated July 24, 2006.

12 (b) SURVEY.—The exact acreage and legal descrip-
13 tion of the land to be conveyed under subsection (a) shall
14 be determined by a survey satisfactory to the Secretary.
15 The cost of the survey shall be borne by the Secretary.

16 (c) ROAD ACCESS.—In making the conveyance under
17 subsection (a) to the City, the Secretary shall include a
18 deed restriction requiring that the roads referred to in
19 such subsection shall remain open to the public to provide
20 access to adjacent Federal land and private property.

21 (d) ADDITIONAL TERM AND CONDITIONS.—The Sec-
22 retary may require such additional terms and conditions
23 in connection with the conveyance under subsection (a) as
24 the Secretary considers appropriate to protect the inter-
25 ests of the United States.

1 **SEC. 107. LAND CONVEYANCE AUTHORITY, SUPPORT FOR**
2 **MOTORIZED AND BICYCLE RECREATION,**
3 **PUBLIC LAND IN CENTRAL IDAHO.**

4 (a) **MOTORIZED RECREATION PARK.**—Subject to
5 subsection (b), the Secretary of the Interior shall convey,
6 without consideration, to the State of Idaho (in this sec-
7 tion referred to as the “State”) all right, title, and interest
8 of the United States in and to a parcel or parcels of Bu-
9 reau of Land Management land, including roads thereon,
10 consisting of approximately 960 acres near Boise, Idaho,
11 and identified for conveyance under this section on the
12 map entitled “STATE OF IDAHO—Boise Motorized
13 Park Conveyance” and dated October 1, 2006, for the
14 purpose of permitting the State to establish a motorized
15 recreation park on the land. As a condition of the convey-
16 ance of the land, the State shall agree to include a begin-
17 ner track as part of the recreation park to be used to teach
18 safe, responsible riding techniques and to establish areas
19 for drivers with different levels of skills.

20 (b) **RESERVATION OF PORTION FOR BICYCLE USE.**—
21 As a condition of the conveyance of the land under sub-
22 section (a), the State shall reserve 20 acres of the con-
23 veyed land for the use of mountain bikes and open the
24 reserved portion to such use as soon as practicable after
25 the date of the conveyance. Funds appropriated pursuant
26 to the authorization of appropriations in section

1 109(d)(1)(A) shall be available to facilitate the establish-
2 ment of the bicycle portion of the recreation park.

3 (c) SURVEY.—The exact acreage and legal descrip-
4 tion of the land to be conveyed under this section shall
5 be determined by a survey satisfactory to the Secretary.
6 The cost of the survey shall be borne by the State.

7 (d) ROAD ACCESS.—In making a conveyance under
8 subsection (a) to the State, the Secretary shall include a
9 deed restriction requiring that the roads referred to in
10 such subsection shall remain open to the public to provide
11 access to adjacent Federal land and private property.

12 (e) ADDITIONAL TERM AND CONDITIONS.—The Sec-
13 retary concerned may require such additional terms and
14 conditions in connection with the conveyance under this
15 section as the Secretary considers appropriate to protect
16 the interests of the United States.

17 **SEC. 108. TREATMENT OF EXISTING ROADS AND TRAILS.**

18 In making the conveyances required by this title, the
19 Secretary of Agriculture and the Secretary of the Interior
20 shall include deed restrictions to ensure that any roads
21 and trails located on the conveyed land remain open to
22 public use notwithstanding any subsequent conveyance of
23 the land by the recipient of the land.

1 **SEC. 109. STANLEY-REDFISH LAKE BIKE AND SNOWMOBILE**
2 **TRAIL AND RELATED PARKING LOT.**

3 (a) DEVELOPMENT OF TRAIL.—The Secretary of Ag-
4 riculture shall design, construct, and maintain a hardened
5 surface trail between the City of Stanley, Idaho, and
6 Redfish Lake that is designated for use—

7 (1) by pedestrians and non-motorized vehicles
8 generally; and

9 (2) as a snowmobile route when there is ade-
10 quate snow cover.

11 (b) ACQUISITION FROM WILLING SELLERS.—Any
12 land or interests in land to be acquired by the Secretary
13 for construction of the paved trail required by subsection
14 (a) shall be acquired only by donation or by purchase from
15 willing sellers.

16 (c) ASSISTANCE FOR CONSTRUCTION OF PARKING
17 LOT.—The Secretary may make a grant to the City of
18 Stanley, Idaho, to assist the City in constructing a parking
19 lot on City property at the north end of the trail required
20 by subsection (a) for use for snowmobile and general park-
21 ing and for other purposes related to the trail.

22 (d) AUTHORIZATION OF APPROPRIATIONS.—

23 (1) IN GENERAL.—There is authorized to be
24 appropriated to the Secretary—

25 (A) \$400,000 for the design, construction,
26 and maintenance of the trail required by sub-

1 section (a) and for land acquisition associated
2 with the construction of the trail; and

3 (B) \$100,000 for the grant under sub-
4 section (c).

5 (2) AVAILABILITY.—Amounts appropriated pur-
6 suant to the authorization of appropriations con-
7 tained in paragraph (1) shall remain available until
8 expended.

9 **SEC. 110. SUPPORT FOR OTHER TRAIL CONSTRUCTION AND**
10 **MAINTENANCE ACTIVITIES.**

11 There is authorized to be appropriated to the Sec-
12 retary of Agriculture or the Secretary of the Interior
13 \$50,000 for the construction and maintenance of bicycle
14 trails in the State of Idaho. Amounts appropriated pursu-
15 ant to this authorization of appropriations shall remain
16 available until expended.

17 **SEC. 111. SUPPORT FOR OUTFITTER AND GUIDE ACTIVI-**
18 **TIES.**

19 (a) EXISTING OPERATING PERMITS.—

20 (1) EXTENSION.—Before the end of the one-
21 year period beginning on the date of the enactment
22 of this Act, the Secretary of Agriculture and the
23 Secretary of the Interior shall grant, for each guide
24 or outfitter operating permit described in paragraph
25 (2), a 10-year extension beyond the expiration date

1 of the current permit. The Secretary concerned may
2 require the modification of the extended permit as
3 necessary to comply with the requirements of this
4 Act.

5 (2) COVERED PERMITS.—Paragraph (1) applies
6 to each guide and outfitter operating permit in effect
7 as of the date of the enactment of this Act that au-
8 thorized activities on lands included in a wilderness
9 area designated by title II or the Boulder-White
10 Cloud Management Area established by title III.

11 (3) EXCEPTION.—The Secretary of Agriculture
12 or the Secretary of the Interior may refuse to grant
13 the extension of a permit under paragraph (1) only
14 if the Secretary concerned determines that the per-
15 mittee has not operated in a satisfactory manner in
16 compliance with the terms and conditions of the per-
17 mit.

18 (b) FUTURE OUTFITTER AND GUIDE ACTIVITIES.—
19 Future extensions of outfitter and guide activities and per-
20 mits for outfitters on lands included in a wilderness area
21 designated by title II or the Boulder-White Cloud Manage-
22 ment Area established by title III shall be administered
23 in accordance with applicable Federal laws and resource
24 management plans. No person shall conduct outfitter and

1 guide activities on such Federal land except as authorized
2 by the Secretary concerned.

3 **SEC. 112. GRANTS TO SUPPORT SUSTAINABLE ECONOMIC**
4 **DEVELOPMENT AND RECREATION.**

5 (a) GRANT TO CUSTER COUNTY, IDAHO.—The Sec-
6 retary of Agriculture may make a grant to Custer County,
7 Idaho, for the purpose of assisting the County in sup-
8 porting sustainable economic development in the County.

9 (b) GRANT TO STATE OF IDAHO.—The Secretary of
10 Agriculture may make a grant to the State of Idaho Parks
11 and Recreation Department for the purpose of assisting
12 the State in acquiring and developing Bayhorse Camp-
13 ground for use as a State park.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to the Secretary of Agri-
16 culture—

17 (1) \$5,100,000 to make the grant under sub-
18 section (a); and

19 (2) \$500,000 to make the grant under sub-
20 section (b).

21 **SEC. 113. CONTINUATION OF PUBLIC ACCESS TO BOWERY**
22 **NATIONAL FOREST GUARD STATION.**

23 (a) CONSTRUCTION OF ROAD AND BRIDGE.—To en-
24 sure continued public access to the Bowery Guard Station,
25 the Secretary of Agriculture shall construct a new road

1 on National Forest System lands, to the east of the exist-
2 ing private property line on the east side of the Leisinger
3 property, and a new bridge over West Pass Creek as part
4 of such road.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to the Secretary such sums
7 as may be necessary to carry out this section. Amounts
8 appropriated pursuant to this authorization of appropria-
9 tions shall remain available until expended.

10 **SEC. 114. EXPANSION AND IMPROVEMENT OF HERD LAKE**
11 **CAMPGROUND.**

12 (a) EXPANSION AND IMPROVEMENT OF CAMP-
13 GROUND.—The Secretary of the Interior shall expand and
14 improve the Herd Lake Campground facilities located
15 below the outlet of Herd Lake.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to the Secretary \$500,000
18 to carry out this section. Amounts appropriated pursuant
19 to this authorization of appropriations shall remain avail-
20 able until expended.

1 **SEC. 115. LAND EXCHANGE TO ELIMINATE STATE OF IDAHO**
2 **INHOLDINGS IN SAWTOOTH NATIONAL**
3 **RECREATION AREA AND NEW WILDERNESS**
4 **AREAS.**

5 (a) EXCHANGES AUTHORIZED.—The Secretary of
6 Agriculture and the Secretary of the Interior may execute
7 one or more land exchanges with the State of Idaho for
8 the purpose of eliminating State inholdings within the
9 boundaries of the Sawtooth National Recreation Area and
10 the wilderness areas designated by title II. The Federal
11 land available for use to carry out an exchange under this
12 section and the State inholdings to be acquired are de-
13 picted on the map entitled “SNRA State of Idaho Land
14 Transfer” and dated October 1, 2006.

15 (b) EXCHANGE PROCESS.—The land exchanges au-
16 thorized by this section shall be carried out in the manner
17 provided in section 206 of the Federal Land Policy and
18 Management Act of 1976 (43 U.S.C. 1716).

19 **TITLE II—CENTRAL IDAHO**
20 **WILDERNESS AREAS**

21 **SEC. 201. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
22 **VATION SYSTEM.**

23 (a) ADDITIONS.—Congress has determined that the
24 following lands in central Idaho shall be designated as wil-
25 derness and managed as components of the National Wil-
26 derness Preservation System:

1 (1) HEMINGWAY-BOULDERS WILDERNESS.—
2 Certain Federal land in the Sawtooth and Challis
3 National Forests, comprising approximately 105,000
4 acres, as generally depicted on the map entitled
5 “Hemingway-Boulders” and dated July 24, 2006,
6 which shall be known as the “Hemingway-Boulders
7 Wilderness”.

8 (2) WHITE CLOUDS WILDERNESS.—Certain
9 Federal land in the Sawtooth and Challis National
10 Forests, comprising approximately 73,100 acres, as
11 generally depicted on the map entitled “White
12 Clouds” and dated July 24, 2006, which shall be
13 known as the “White Clouds Wilderness”.

14 (3) JERRY PEAK WILDERNESS.—Certain Fed-
15 eral land in the Challis National Forest and Challis
16 District of the Bureau of Land Management, com-
17 prising approximately 131,700 acres, as generally
18 depicted on the map entitled “Jerry Peak Wilder-
19 ness” and dated July 24, 2006, which shall be
20 known as the “Jerry Peak Wilderness”. In the case
21 of the Bureau of Land Management land designated
22 as wilderness by this paragraph, the land is included
23 in the National Landscape Conservation System.

24 (b) MAPS AND LEGAL DESCRIPTION.—

1 (1) IN GENERAL.—As soon as practicable after
2 the date of enactment of this Act, the Secretary of
3 Agriculture, in the case of the wilderness areas des-
4 ignated by paragraphs (1) and (2) of subsection (a)
5 and the National Forest System land designated as
6 wilderness by paragraph (3) of such subsection, and
7 the Secretary of the Interior, in the case of the Bu-
8 reau of Land Management land designated as wil-
9 derness by paragraph (3) of such subsection, in this
10 title referred to as the “Secretary concerned”, shall
11 file a map and legal description of the wilderness
12 areas designated by such subsection with the Com-
13 mittee on Resources of the House of Representatives
14 and the Committee on Energy and Natural Re-
15 sources of the Senate.

16 (2) EFFECT.—Each map and legal description
17 shall have the same force and effect as if included
18 in this title, except that the Secretary concerned
19 may correct clerical and typographical errors in the
20 map or legal description.

21 (3) AVAILABILITY.—Each map and legal de-
22 scription shall be on file and available for public in-
23 spection in the appropriate offices of the Bureau of
24 Land Management or the Forest Service.

1 (c) WITHDRAWAL.—Subject to valid existing rights,
2 the wilderness areas designated in subsection (a) are with-
3 drawn from all forms of entry, appropriation, and disposal
4 under the public land laws, location, entry, and patent
5 under the mining laws, and operation of the mineral leas-
6 ing, mineral materials, and geothermal leasing laws.

7 **SEC. 202. GENERAL ADMINISTRATION OF WILDERNESS**
8 **AREAS.**

9 (a) APPLICATION OF WILDERNESS ACT.—Subject to
10 valid existing rights, the wilderness areas designated by
11 section 201 shall be managed by the Secretary concerned
12 in accordance with the Wilderness Act (16 U.S.C. 1131
13 et seq.) and this title. With respect to the wilderness areas,
14 any reference in the Wilderness Act to the effective date
15 of the Wilderness Act shall be deemed to be a reference
16 to the date of the enactment of this Act, and any reference
17 in the Wilderness Act to the Secretary of Agriculture shall
18 be deemed to be a reference to the Secretary concerned.

19 (b) CONSISTENT INTERPRETATION TO THE PUB-
20 LIC.—Although the wilderness areas designated by section
21 201 consist of National Forest System land under the ju-
22 risdiction of the Secretary of Agriculture and public land
23 under the jurisdiction of the Secretary of the Interior, the
24 Secretary of Agriculture and the Secretary of the Interior
25 shall collaborate to assure that the wilderness areas are

1 interpreted to the public as an overall complex tied to-
2 gether by common location in the Boulder-White Cloud
3 Mountains and common identity with the natural and cul-
4 tural history of the State of Idaho and its Native Amer-
5 ican and pioneer heritage.

6 (c) COMPREHENSIVE WILDERNESS MANAGEMENT
7 PLAN.—Not later than three years after the date of the
8 enactment of this Act, the Secretary of Agriculture and
9 Secretary of the Interior shall collaborate to develop a
10 comprehensive wilderness management plan for the wil-
11 derness areas designated by section 201. The completed
12 management plan shall be submitted to the Committee on
13 Resources of the House of Representatives and the Com-
14 mittee on Energy and Natural Resources of the Senate.

15 (d) FIRE, INSECTS, AND DISEASES.—Within the wil-
16 derness area designated by section 201, the Secretary con-
17 cerned may take such measures as the Secretary con-
18 cerned determines to be necessary for the control of fire,
19 insects, and diseases, subject to such conditions as the
20 Secretary concerned considers desirable, as provided in
21 section 4(d)(1) of the Wilderness Act (16 U.S.C.
22 1131(d)(1)).

23 (e) WILDERNESS TRAILS AND TRAILHEADS.—

24 (1) CONSTRUCTION OF NEW TRAILHEAD.—The
25 Secretary concerned shall construct a new trailhead

1 for nonmotorized users and improve access to the
2 Big Boulder Trailhead to separate motorized users
3 from nonmotorized users.

4 (2) INCLUSION OF ACCESSIBLE TRAIL.—The
5 Secretary concerned shall upgrade the first mile of
6 the Murdock Creek Trail in the Hemingway-Boul-
7 ders wilderness area designated by section 201 to a
8 primitive, non-paved, and wheelchair accessible
9 standard.

10 (f) TREATMENT OF EXISTING CLAIMS AND PRIVATE
11 LANDS.—Nothing in this title is intended to affect the
12 rights or interests in real property, patented mining
13 claims, or valid claims or prevent reasonable access to pri-
14 vate property or for the development and use of valid min-
15 eral rights. The Secretary concerned may enter into nego-
16 tiations with the holder of a patented claim or valid claim
17 located in a wilderness area designated by section 201 for
18 the voluntary relinquishment of the claim.

19 (g) GRAZING.—Grazing of livestock in a wilderness
20 area designated by section 201, where established before
21 the date of the enactment of this Act, shall be adminis-
22 tered in accordance with the provisions of section 4(d)(4)
23 of the Wilderness Act (16 U.S.C. 1133(d)(4)), section 108
24 of Public Law 96–560, and section 101(f) of Public Law
25 101–628, and in accordance with the guidelines set forth

1 in Appendix A of House Report 96–617 of the 96th Con-
2 gress and House Report 101–405 of the 101st Congress.

3 (h) COMMERCIAL OUTFITTERS AND SADDLE AND
4 PACK STOCK.—Nothing in this title shall preclude horse-
5 back riding or the entry of recreational saddle or pack
6 stock into the wilderness areas designated by section 201,
7 including when such entry is made by commercial outfit-
8 ters.

9 **SEC. 203. ACQUISITION OF MINERAL INTERESTS AND**
10 **LANDS FROM WILLING SELLERS.**

11 (a) ACQUISITION.—Within the boundaries of the wil-
12 derness areas designated by section 201, the Secretary
13 concerned may acquire, through purchase from willing
14 sellers or donation from willing owners, all right, title, and
15 interest in all mineral interests, claims, and parcels of land
16 that have been patented under the Act of May 10, 1872
17 (30 U.S.C. 22 et seq.; commonly known as the Mining
18 Act of 1872).

19 (b) CONSIDERATION.—In exercising the authority
20 provided by subsection (a) to acquire lands and interests,
21 the Secretary concerned shall offer the owners of record
22 of each patent, who voluntarily wish to sell, \$20,000 as
23 compensation for the acquisition of these interests. The
24 Secretary concerned shall make such offers as soon as
25 practicable after the date of the enactment of this Act and

1 such offers shall remain open for acceptance during the
2 five-year period beginning on such date.

3 (c) INCORPORATION IN WILDERNESS AREA.—Any
4 land or interest in land located inside the boundaries of
5 a wilderness area designated by section 201 that is ac-
6 quired by the United States after the date of the enact-
7 ment of this Act shall be added to and administered as
8 part of that wilderness area.

9 **SEC. 204. ADJACENT MANAGEMENT.**

10 (a) NO PROTECTIVE PERIMETERS OR BUFFER
11 ZONES.—Congress does not intend for the designation of
12 the wilderness areas by section 201 to lead to the creation
13 of protective perimeters or buffer zones around any such
14 wilderness area.

15 (b) NONWILDERNESS ACTIVITIES.—The fact that
16 nonwilderness activities or uses outside of a wilderness
17 area designated by section 201 can be seen or heard from
18 inside of the wilderness area shall not preclude the conduct
19 of those activities or uses outside the boundaries of the
20 wilderness area.

21 **SEC. 205. WILDFIRE MANAGEMENT.**

22 Consistent with section 4 of the Wilderness Act (16
23 U.S.C. 1133), nothing in this title precludes a Federal,
24 State, or local agency from conducting wildfire manage-
25 ment operations, including operations using aircraft or

1 mechanized equipment, to manage wildfires in the wilder-
2 ness areas designated by section 201.

3 **SEC. 206. WATER RIGHTS.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) The lands designated as wilderness areas by
6 section 201 are located at the headwaters of the
7 streams and rivers on those lands, with few, if any,
8 actual or proposed water resource facilities located
9 upstream from such lands and few, if any, opportu-
10 nities for diversion, storage, or other uses of water
11 occurring outside such lands that would adversely
12 affect the wilderness values of such lands.

13 (2) The lands designated as wilderness areas by
14 section 201 are not suitable for use for development
15 of new water resource facilities or for the expansion
16 of existing facilities.

17 (3) Therefore, it is possible to provide for prop-
18 er management and protection of the wilderness
19 value of the lands designated as wilderness areas by
20 section 201 in ways different from the ways utilized
21 in other laws designating wilderness areas.

22 (b) PURPOSE.—The purpose of this section is to pro-
23 tect the wilderness values of the lands designated as wil-
24 derness areas by section 201 by means other than a feder-
25 ally reserved water right.

1 (c) STATUTORY CONSTRUCTION.—Nothing in this
2 title—

3 (1) shall constitute, or be construed to con-
4 stitute, either an express or implied reservation by
5 the United States of any water or water rights with
6 respect to the wilderness areas designated by section
7 201;

8 (2) shall affect any water rights in the State of
9 Idaho existing on the date of the enactment of this
10 Act, including any water rights held by the United
11 States;

12 (3) shall be construed as establishing a prece-
13 dent with regard to any future wilderness designa-
14 tions;

15 (4) shall be construed as limiting, altering,
16 modifying, or amending any of the interstate com-
17 pacts or equitable apportionment decrees that appor-
18 tion water among and between the State of Idaho
19 and other States; and

20 (5) shall be construed as limiting, altering,
21 modifying, or amending provisions of Public Law
22 92–400, which established the Sawtooth National
23 Recreation Area (16 U.S.C. 460aa et seq.).

24 (d) IDAHO WATER LAW.—The Secretary concerned
25 shall follow the procedural and substantive requirements

1 of the law of the State of Idaho when seeking to establish
2 any water rights, not in existence on the date of the enact-
3 ment of this Act, with respect to the wilderness areas des-
4 ignated by section 201.

5 (e) NEW PROJECTS.—

6 (1) PROHIBITION.—Except as otherwise pro-
7 vided in this Act, on and after the date of the enact-
8 ment of this Act, neither the President nor any
9 other officer, employee, or agent of the United
10 States shall fund, assist, authorize, or issue a license
11 or permit for the development of any new water re-
12 source facility inside any of the wilderness areas des-
13 ignated by section 201.

14 (2) DEFINITION.—In this subsection, the term
15 “water resource facility” means irrigation and
16 pumping facilities, reservoirs, water conservation
17 works, aqueducts, canals, ditches, pipelines, wells,
18 hydropower projects, and transmission and other an-
19 cillary facilities, and other water diversion, storage,
20 and carriage structures.

21 **SEC. 207. WILDLIFE MANAGEMENT.**

22 (a) STATE JURISDICTION.—In accordance with sec-
23 tion 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
24 nothing in this title affects or diminishes the jurisdiction
25 of the State of Idaho with respect to fish and wildlife man-

1 agement, including the regulation of hunting, fishing, and
2 trapping, in the wilderness areas designated by section
3 201.

4 (b) MANAGEMENT ACTIVITIES.—In furtherance of
5 the purposes and principles of the Wilderness Act, man-
6 agement activities to maintain or restore fish and wildlife
7 populations and the habitats to support such populations
8 may be carried out within wilderness areas designated by
9 section 201 where consistent with relevant wilderness
10 management plans, in accordance with appropriate poli-
11 cies such as those set forth in Appendix B of House Re-
12 port 101–405 of the 101st Congress, including the occa-
13 sional and temporary use of motorized vehicles, if such
14 use, as determined by the Secretary concerned would pro-
15 mote healthy, viable, and more naturally distributed wild-
16 life populations that would enhance wilderness values and
17 accomplish those purposes using the minimum tool nec-
18 essary to reasonably accomplish the task.

19 (c) USE OF AIRCRAFT.—Consistent with section
20 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and
21 in accordance with appropriate policies such as those set
22 forth in Appendix B of House Report 101–405 of the
23 101st Congress, the State of Idaho may continue to use
24 aircraft, including helicopters, to survey, capture, trans-
25 plant, monitor, and manage elk, deer, bighorn sheep,

1 mountain goats, wolves, grizzly bears, and other wildlife
2 and fish.

3 (d) HUNTING, FISHING, AND TRAPPING.—Nothing in
4 this title shall affect hunting, fishing, and trapping, under
5 applicable State and Federal laws and regulations, in the
6 wilderness areas designated by section 201. The Secretary
7 concerned may designate, by regulation in consultation
8 with the appropriate State agency (except in emergencies),
9 areas in which, and establish periods during which, for
10 reasons of public safety, administration, or compliance
11 with applicable laws, no hunting, fishing, or trapping will
12 be permitted in the wilderness areas.

13 **SEC. 208. NATIVE AMERICAN CULTURAL AND RELIGIOUS**
14 **USES.**

15 Nothing in this title shall be construed to diminish
16 the rights of any Indian tribe. Nothing in this title shall
17 be construed to diminish tribal rights regarding access to
18 Federal lands for tribal activities, including spiritual, cul-
19 tural, and traditional food-gathering activities.

20 **SEC. 209. MILITARY OVERFLIGHTS.**

21 Nothing in this title restricts or precludes—

22 (1) low-level overflights of military aircraft over
23 the wilderness areas designated by section 201, in-
24 cluding military overflights that can be seen or
25 heard within the wilderness areas;

1 (2) flight testing and evaluation; or

2 (3) the designation or creation of new units of
3 special use airspace, or the establishment of military
4 flight training routes, over the wilderness areas.

5 **SEC. 210. WILDERNESS REVIEW.**

6 (a) NATIONAL FORESTS.—Section 5 of Public Law
7 92–400 (16 U.S.C. 460aa–4), which required a review of
8 the undeveloped and unimproved portion or portions of the
9 Sawtooth National Recreation Area established by that
10 Act as to suitability or unsuitability for preservation as
11 part of the National Wilderness Preservation System, is
12 repealed.

13 (b) PUBLIC LANDS.—

14 (1) FINDING.—Congress finds that, for the pur-
15 pose of section 603 of the Federal Land Policy and
16 Management Act of 1976 (43 U.S.C. 1782), the
17 public land administered by the Bureau of Land
18 Management in the following areas have been ade-
19 quately studied for wilderness designation:

20 (A) The Jerry Peak Wilderness Study
21 Area.

22 (B) The Jerry Peak West Wilderness
23 Study Area.

24 (C) The Corral-Horse Basin Wilderness
25 Study Area.

1 (D) The Boulder Creek Wilderness Study
2 Area.

3 (2) RELEASE.—Any public land described in
4 paragraph (1) that is not designated as wilderness
5 by this title—

6 (A) is no longer subject to section 603(c)
7 of the Federal Land Policy and Management
8 Act of 1976 (43 U.S.C. 1782(c)); and

9 (B) shall be managed in accordance with
10 land management plans adopted under section
11 202 of that Act (43 U.S.C. 1712).

12 **TITLE III—BOULDER-WHITE**
13 **CLOUDS MANAGEMENT AREA**

14 **SEC. 301. ESTABLISHMENT OF MANAGEMENT AREA.**

15 (a) FINDINGS AND PURPOSES.—In the case of those
16 Federal lands not designated as wilderness in title II, Con-
17 gress has examined the management alternatives for such
18 lands and finds that the designation of such lands as a
19 special management area will provide outstanding oppor-
20 tunities for many forms of recreation, including mountain
21 biking, snowmobiling, and the use of off-road motorized
22 vehicles. The purpose of this title is to statutorily provide
23 for the continued management of such lands for motorized
24 and other recreational opportunities, livestock grazing,
25 and conservation and resource protection in accordance

1 with the existing management areas, plans, and applicable
2 authorities of the Challis National Forest, the Sawtooth
3 National Forest, the Sawtooth National Recreation Area,
4 and the Challis District of the Bureau of Land Manage-
5 ment. In addition, it is the purpose of this title to provide
6 that motorized use of such lands shall be allowed in ac-
7 cordance with the travel map entitled “Boulder-White
8 Clouds Management Area Travel Plan” and dated July
9 24, 2006.

10 (b) ESTABLISHMENT.—

11 (1) ESTABLISHMENT.—Those Federal lands in
12 the Challis National Forest, the Sawtooth National
13 Forest, the Sawtooth National Recreation Area, and
14 the Challis District of the Bureau of Land Manage-
15 ment that are not designated as wilderness in title
16 II, as generally depicted on the map entitled “Boul-
17 der-White Clouds Management Area” and dated
18 July 24, 2006, are hereby designated as the Boul-
19 der-White Clouds Management Area and shall be
20 managed as provided by this title.

21 (2) RELATION TO SAWTOOTH NATIONAL RECRE-
22 ATION AREA.—The designation of land already in
23 the Sawtooth National Recreation Area for inclusion
24 in both the management area and the Sawtooth Na-
25 tional Recreation Area is declared to be supple-

1 mental to, not in derogation of, the Sawtooth Na-
2 tional Recreation Area.

3 (3) MANAGEMENT AREA DEFINED.—In this
4 title, the term “management area” means the Boul-
5 der-White Clouds Management Area designated by
6 this subsection.

7 (c) ADMINISTRATION.—

8 (1) SECRETARY CONCERNED DEFINED.—In this
9 title, the term “Secretary concerned” means—

10 (A) the Secretary of Agriculture, in the
11 case of National Forest System lands included
12 in the management area; and

13 (B) the Secretary of the Interior, in the
14 case of public lands included in the manage-
15 ment area.

16 (2) ADMINISTRATION.—Except as otherwise
17 provided in this title, the Secretary concerned shall
18 administer the management area in accordance with
19 this title and the laws and regulations generally ap-
20 plicable to the National Forest System lands and the
21 public lands included in administrative areas in ex-
22 istence as of the date of the enactment of this Act
23 and in accordance with the management plans of the
24 Sawtooth National Recreation Area, the Challis Na-
25 tional Forest, the Sawtooth National Forest, and the

1 Challis District of the Bureau of Land Management
2 in existence as of that date.

3 (3) RELATION TO SAWTOOTH NATIONAL RECRE-
4 ATION AREA.— If lands in the management area are
5 also included in the Sawtooth National Recreation
6 Area, the Secretary of Agriculture shall also admin-
7 ister that land in accordance with Public Law 92-
8 400 (16 U.S.C. 460aa et seq.).

9 (4) CONTINUED REFERENCE TO EXISTING AD-
10 MINISTRATIVE UNITS.—Notwithstanding the estab-
11 lishment of the management area, the administrative
12 units in effect as of the date of the enactment of
13 this Act and known as the Sawtooth National Recre-
14 ation Area, the Challis National Forest, the Saw-
15 tooth National Forest, and the Challis District of
16 the Bureau of Land Management, including areas
17 within the administrative units established as the
18 management area, shall continue to be known as the
19 Sawtooth National Recreation Area, the Challis Na-
20 tional Forest, the Sawtooth National Forest, and the
21 Challis District of the Bureau of Land Management,
22 respectively, and shall be so designated on any signs
23 and maps prepared by the Secretary concerned.

24 (d) DEVELOPMENT.—No new roads may be con-
25 structed within the management area, except as necessary

1 for access to campgrounds and other recreation areas as
2 determined by the Secretary concerned. Roads may be
3 maintained and relocated as necessary. The Secretary con-
4 cerned shall permit the mining and removal of gravel,
5 sand, and rock along existing roads in the management
6 area as necessary for road maintenance in accordance with
7 the applicable management plan.

8 (e) TIMBER HARVESTING.—Timber harvesting may
9 be allowed on lands in the management area only in ac-
10 cordance with the management plan applicable to the
11 lands and for necessary control of fire, insects, and dis-
12 eases and for public safety.

13 (f) TRAILS.—

14 (1) CONSTRUCTION, MAINTENANCE, AND IM-
15 PROVEMENTS.—There is authorized to be appro-
16 priated to the Secretary of Agriculture and the Sec-
17 retary of the Interior \$650,000 for trail construction
18 and maintenance and for other improvements related
19 to outfitting, guiding, hiking, and horseback use
20 within the management area. Amounts appropriated
21 pursuant to this authorization of appropriations
22 shall remain available until expended.

23 (2) SET-ASIDE FOR TRAIL CONSTRUCTION.—Of
24 the amounts appropriated pursuant to the authoriza-

1 tion of appropriations in paragraph (1), \$150,000
2 shall be available for the construction of—

3 (A) a trail between the Phyllis Lake Road
4 (USFS Road #053) and Phyllis Lake, which
5 shall be primitive and non-paved, but wheel-
6 chair accessible, and open only to non-motorized
7 travel; and

8 (B) the primitive and non-paved, but
9 wheelchair accessible, trail along Murdock
10 Creek in the Hemingway-Boulders wilderness
11 area required by section 202(e)(2).

12 **SEC. 302. LAND ACQUISITION AND ACQUISITION OF**
13 **UNPATENTED MINING CLAIMS IN MANAGE-**
14 **MENT AREA.**

15 (a) LAND ACQUISITION.—The Secretary concerned
16 may acquire, by donation or purchase from willing sellers,
17 lands and interests in lands—

18 (1) located inside the boundaries of the man-
19 agement area; or

20 (2) located adjacent to the management area to
21 provide easements for additional public access to the
22 management area.

23 (b) ACQUISITION OF UNPATENTED MINING
24 CLAIMS.—

1 (1) ACCEPTANCE OF CONTRIBUTIONS.—The
2 Secretary concerned shall accept any charitable con-
3 tribution (as defined in section 170(c) of the Inter-
4 nal Revenue Code of 1986) of an interest—

5 (A) in an unpatented mining claim located
6 inside the boundaries of the management area;
7 or

8 (B) in any partnership, association, com-
9 pany, or corporation substantially all the value
10 of which is attributable to unpatented mining
11 claims located inside the boundaries of the
12 management area.

13 (2) ACCESS FOR VALUATION PURPOSES.—The
14 Secretary concerned shall permit any donor of an in-
15 terest described in paragraph (1), or any agent of
16 the donor, to access the unpatented mining claim
17 and conduct sampling and exploration work nec-
18 essary to determine the fair market value of the
19 claim if—

20 (A) the donor notifies the local Federal
21 land manager in writing of the donor's intent to
22 access the unpatented mining claim for such
23 purposes; and

24 (B) the Secretary determines that the pro-
25 posed access, sampling, and exploration work

1 will not cause substantial impairment of the
2 surface resources.

3 (3) VALUATION METHOD IF ACCESS DENIED.—

4 If the Secretary concerned determines that a request
5 for access under paragraph (2) to conduct sampling
6 and exploration work necessary to determine the fair
7 market value of an unpatented mining claim will
8 cause substantial impairment of the surface re-
9 sources or otherwise fails to permit access within 30
10 days after receipt of the written request for access
11 under such paragraph, the fair market value of the
12 claim for purposes of determining the amount of the
13 contribution under paragraph (1) shall be based on
14 an appraisal that relies upon noninvasive methods to
15 determine the value.

16 (c) LIMITATION ON USE OF CONDEMNATION.—No
17 lands or interests in lands may be acquired by condemna-
18 tion for inclusion in the management area or to provide
19 access to the management area, except as provided for by
20 Public Law 92-400 (16 U.S.C. 460aa et seq.) and regula-
21 tions, in effect as of the date of the enactment of this
22 Act, for the use of private land in the Sawtooth National
23 Recreation Area (sections 36 292.14 – 292.16 of title 36,
24 Code of Federal Regulations).

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated not more than \$5,000,000
3 to carry out this section. Amounts appropriated pursuant
4 to this authorization of appropriations shall remain avail-
5 able until expended.

6 **SEC. 303. MOTORIZED AND BICYCLE TRAVEL.**

7 (a) MOTORIZED AND BICYCLE TRAVEL AUTHOR-
8 IZED.—

9 (1) BLM LAND.—In the case of public land in-
10 cluded in the management area, notwithstanding the
11 status of any other road or trail, motorized and bicy-
12 cle travel shall continue to be allowed on the Spar
13 Canyon, Herd Lake, and Road Creek routes.

14 (2) FOREST SERVICE LAND.—In the case of
15 National Forest System land included in the man-
16 agement area, motorized and bicycle travel shall con-
17 tinue to be allowed in accordance with Forest Serv-
18 ice travel plans and maps in existence as of July 24,
19 2006, which managed recreation use for the specific
20 areas, roads, and trails on that land, as referenced
21 on the travel map entitled “Boulder-White Clouds
22 Management Area Travel Plan” and dated July 24,
23 2006.

24 (b) ESTABLISHMENT OR USE OF OTHER TRAILS AND
25 ROUTES.—Notwithstanding subsection (a), other trails

1 and routes may be used for motorized and bicycle travel
2 whenever the Secretary concerned considers such use to
3 be necessary for administrative purposes or to respond to
4 an emergency.

5 (c) ROUTE AND TRAIL CLOSURES.—The following
6 roads or trails shall be closed to motorized and mechanized
7 trail use, except when there is adequate snowcover to per-
8 mit snowmobile use:

9 (1) Forest Service Trail 109 between the Phyl-
10 lis Lake turnoff to 4th of July Lake and the south
11 side of Washington Lake.

12 (2) Forest Service Trail 671 up Warm Springs
13 Creek from Trail 104 to the wilderness boundary.

14 (d) GROUNDS FOR TRAIL SEGMENT CLOSURES.—Re-
15 source damage that can be mitigated and issues of user
16 conflict shall not be used as grounds for the closure of
17 a trail or route in the management area, although the Sec-
18 retary concerned may close any trail or route, or prohibit
19 the use of trail or route for motorized and mechanize trav-
20 el, if the Secretary determines that such closure or prohi-
21 bition is the only reasonable means available for resource
22 protection or public safety.

23 (e) MITIGATION OF TRAIL CLOSURES.—If the Sec-
24 retary determines under subsection (d) that closing an
25 available trail or route in the management area is nec-

1 essary for resource protection or public safety, the Sec-
2 retary shall take any of the following mitigation actions,
3 intended to provide commensurate motorized recreation
4 opportunities in the same general area of the management
5 area:

6 (1) Repair resource damage and secure condi-
7 tions so that closed trails may be reopened to motor-
8 ized use.

9 (2) Replace, relocate, or reroute the trail or the
10 trail segment to provide a similar link between travel
11 points.

12 (3) A combination of the actions specified in
13 paragraphs (1) and (2) and other actions to achieve
14 the overall mitigation objective.

15 (f) RELATION TO OTHER LAWS.—In considering
16 mitigation actions under subsection (e), the Secretary con-
17 cerned shall ensure that such action is consistent with the
18 overall objectives of the management area. If the lands
19 are also included in the Sawtooth National Recreation
20 Area, the Secretary concerned shall also administer the
21 action in accordance with Public Law 92–400 (16 U.S.C.
22 460aa et seq.), the map referred to in subsection (a)(2),
23 and executive orders and other relevant laws and regula-
24 tions existing on or before the date of the enactment of
25 this Act.

1 (g) BLM TRAVEL PLAN.—Not later than three years
2 after the date of the enactment of this Act, the Secretary
3 of the Interior shall develop and implement a travel plan
4 for public land included in the management area, but not
5 otherwise covered by this section. The travel plan shall be
6 developed in accordance with the laws and regulations gen-
7 erally applicable to the public land included in the man-
8 agement area and in accordance with the existing manage-
9 ment plan for the Challis District of the Bureau of Land
10 Management. Motorized and bicycle travel authorized in
11 the travel plan shall be managed in accordance with the
12 plan and laws and regulations generally applicable to the
13 public land, and not as otherwise provided for in this sec-
14 tion. The Secretary of the Interior shall include a map
15 as part of the travel plan.

16 **SEC. 304. SUPPORT AND USE OF IDAHO OFF ROAD MOTOR**
17 **VEHICLE PROGRAM.**

18 (a) GRANT TO PROGRAM.—There is authorized to be
19 appropriated to the Secretary of Agriculture not more
20 than \$1,000,000, which shall be used by the Secretary to
21 make a grant to the State of Idaho in the full amount
22 so appropriated for deposit with the Off Road Motor Vehi-
23 cle Program of the Idaho Department of State Parks and
24 Recreation, which is used to support the acquisition, pur-
25 chase, improvement, repair, maintenance, furnishing, and

1 equipping of off-road motor vehicle facilities and sites, to
2 groom snowmobile trails, and for enforcement activities
3 and the rehabilitation of land damaged by off-road vehicle
4 users. As a condition of the grant, the State must main-
5 tain the grant funds as a separate account of the Off Road
6 Motor Vehicle Program and may not use the funds except
7 as provided by this section.

8 (b) USE OF GRANT FUNDS.—When the Secretary
9 concerned determines that additional funds are required
10 to carry out the activities described in subsection (a) in
11 the management area, the Secretary may apply for funds
12 from the Off Road Motor Vehicle Program. Funds re-
13 ceived under this subsection shall be used only in the man-
14 agement area or in connection with the Boise motorized
15 recreation park authorized by section 107.

16 (c) CONSULTATION AND RECOMMENDATIONS.—Be-
17 fore funds are provided under subsection (b), the Off Road
18 Motor Vehicle Program shall consider any recommenda-
19 tions regarding the use of the funds made by the advisory
20 committee established as part of the program as well as
21 public comments.

22 (d) RELATION TO OTHER LAWS.—Any action under-
23 taken using funds obtained under subsection (b) shall con-
24 form to the applicable travel plan of the Challis National
25 Forest, the Sawtooth National Forest, the Sawtooth Na-

1 tional Recreation Area, or the Challis District of the Bu-
2 reau of Land Management.

3 **SEC. 305. AIRPORTS AND LANDING STRIPS.**

4 No airstrips exist in the wilderness areas designated
5 by title II. Nothing in this Act shall be construed to re-
6 strict or preclude the use of public or private airports or
7 landing strips located within the management area or ad-
8 jacent to a wilderness area designated by title II.

9 **SEC. 306. MANAGEMENT OF RAILROAD RIDGE AREA, SAW-**
10 **TOOTH NATIONAL FOREST.**

11 (a) FINDINGS.—Congress finds the following:

12 (1) The Railroad Ridge area of the Sawtooth
13 National Forest is host to several extremely rare and
14 sensitive plant species.

15 (2) The area supports some of the most unique
16 and well-developed alpine plant communities in
17 Idaho, and is more botanically diverse than most al-
18 pine communities in North America.

19 (3) The area is currently closed to cross-coun-
20 try motorized travel

21 (b) ENHANCED AWARENESS AND CONSERVATION.—

22 There is authorized to be appropriated to the Secretary
23 of Agriculture \$50,000 for the development of educational
24 materials and signage to raise the awareness of users of

- 1 the Railroad Ridge area of the uniqueness of the area and
- 2 to promote the conservation of the area.

Passed the House of Representatives July 24, 2006.

Attest:

KAREN L. HAAS,
Clerk.